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10/622,294	07/18/2003	David Chown	30020591	7249
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Kathy Manke			EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/622,294

Applicant(s)

CHOWN, DAVID

Examiner

Li Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 November 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 5/29/2007 have been fully considered but they are not persuasive. The examiner has thoroughly reviewed Applicant's amendment and arguments but firmly believes that the cited reference reasonably and properly meet the claimed limitation as rejected.

Applicant's argument – "Fig. 2 is a simplified block diagram that demonstrates the invention of Muraguchi. As the invention of Muraguchi is not related to signal propagation paths and its claims do not recite signal propagation paths, Fig. 2 does not need to illustrate the details of its signal propagation paths. Thus, the absence of splices in the signal propagation paths in Fig. 2 is not dispositive proof that Muraguchi discloses propagation paths that are without splices. The splices may simply have been omitted for the sake of clarity since they are not related to the invention and are not claimed." "The text of Muraguchi also does not describe the propagation paths, If anything, the absence of any detailed description of the signal propagation paths infers that they are conventional and therefore include splices to connect the optical fibers between the converters, multiplexers, de-multiplexers, and connectors".

Examiner's response – Muraguchi clearly states "[t]he present invention relates to a light signal transmitting apparatus having first and second light signal terminals and two optical fibers for coupling the first and second light signal terminals to transmit light signals in the opposite directions". Therefore, the invention of Muraguchi is **indeed related** to signal propagation paths and its claims recite signal propagation paths.

And in column 3 line 48 to column 5 line 44, Muraguchi describe the invention **"in detail with reference to Fig. 2"**. In Figure 2 and the detailed description, Muraguchi does not use any splices in his invention.

As disclosed by the applicant in the background of the invention: "typically, transmitters and receivers for the payload channel(s) and the supervisory channel are assembled from discrete laser and photodiode components with the combination and separation of the payload channels and the supervisory channel performed by a discrete WDM coupler/splitter device. These components **have pigtails and are spliced together** to perform the functions of launching, combining, separating and receiving the payload channels and the supervisory channel. The splices are used to for **splicing discrete components** (Figures 1 and 2). And if the supervisory laser L2 and the associated laser drive electronics LD2 as well as the supervisory photodetector P2 and the associated receiver electronics RE2 can be integrated to form respective transmitter and receiver modules, it would dispense with all the splicing and fibre handling considered, and no longer having to splice fibres and wherein detailed knowledge of discrete lasers and photodiodes for use with supervisory channels is no longer required.

Muraguchi teaches an integrated transceiver module (Figure 2). There is no discrete components **having pigtails and needed to be spliced together**. Therefore, in Muraguchi's system, splices as defined by the applicant are not needed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Muraguchi (US 5,432,874).

1). With regard to claim 1, Muraguchi disclose a system (Figure 2) for converting first and second signals representative of payload (High Speed Electrical Signal in Figure 2, the video, audio, data signals etc. column 4 line 39-40) and supervisory (Low Speed Electrical Signal in Figure 2, control signal, etc., column 4, line 40-41) information, respectively, between an electrical format and a WDM aggregated optical format, the system including:

at least one first converter (the Electro-Optic Converter 8 in Figure 2) for converting said first signal between said electrical format and a first, disaggregated optical format (column 4, line 56-68),

at least one second converter (the Electro-Optic Converter 9 in Figure 2) for converting said second signal between said electrical format and a second, disaggregated optical format (column 4, line 56-68), and

at least one optical WDM converter (the Multiplexer 10 in Figure 2) for converting said first and second signals between said first and second disaggregated optical formats and said WDM aggregated optical format (column 3 line 62-65),

characterized in that said at least one first converter, said at least one second converter and said at least one optical WDM converter are integrated to a single self-contained module (transmitting apparatus, Figure 2) by means of signal propagation paths that exempt from splices (Figure 2, no splices are used in the system; column 1 line 64 to column 2 line 9; and in column 3 line 48 to column 5 line 44, Muraguchi describe his invention "in detail with reference to Fig. 2". In Figure 2 and the detailed description, Muraguchi teaches an integrated transceiver; there is no discrete components having pigtails and needed to be spliced together. Therefore, in Muraguchi's system, splices as defined by the applicant are not needed).

2). With regard to claim 10, Muraguchi further disclose an optical WDM converter includes a WDM splitter (Demultiplexer 11 in Figure 2) for de-multiplexing the WDM aggregated optical format (inputted from fiber 6 in Figure 2) into a first disaggregated optical format (the Laser Light Signal to O/E Converter 12 in Figure 2) and said second disaggregated optical format (the Light Signal to O/E Converter 13 in Figure 2), and in that said first converter and said second converter include photoelectric converters (Opto-Electro Converter in Figure 2) for converting said first disaggregated optical format and said second disaggregated optical format into said first and second signals in said electrical format (output High Speed Electrical Signal and Low Speed Electrical Signal, respectively, column 3 line 65 to column 4 line 3), the system thus comprising a receiver module (Figure 2, column 1 line 65 to column 2 line 2).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muraguchi (US 5,432,874).

1). With regard to claim 9, Muraguchi disclose all of the subject matter as applied in claim 1. And Muraguchi further disclose that said first converter and said second converter include sources (laser light and LED, column 3, line 58-62) driven with said first and said second signals in said electrical format (High Speed or Low Speed Electrical Signals), respectively, and in that said optical WDM converter includes a WDM combiner (Multiplexer 10 in Figure 1) to combine said first and said second signals in said first disaggregated optical format and said second disaggregated optical format (Figure 2) to produce said WDM aggregated optical format (multiplexed signals to fiber 3, Figure 2), the system thus comprising a transmitter module (Transmitter Apparatus 1, Figure 2, column 1 line 65 or column 3 line 38-40).

But, Muraguchi discloses that one light source is laser source and another is a LED; Muraguchi does not disclose that the two light sources are lasers. However, since the laser source has a narrow band width and is widely used in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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replace LED with the the laser diode so to increase the signal capacity and transmission rate.

2). With regard to claim 11, Muraguchi disclose all of the subject matter as applied in claim 1. And Muraguchi further disclose the system includes:

a pair of said first converters (8 and 12 in Figure 2) in the form of a first laser source (8 in Figure 2) and a first photoelectric converter (12 in Figure 2), respectively;

a pair of said second converters (9 and 13 in Figure 2) in the form of a second light source (9 in Figure 2) and a second photoelectric converter (13 in Figure 2), respectively; and

a pair of said optical WDM converters (10 and 11 in Figure 2), in the form of a WDM combiner (10 in Figure 4) and a WDM splitter (11 in Figure 4), respectively;

the arrangement being such that said first laser source and said second light source are arranged for converting a first pair of first and second signals representative of payload (High Speed Electrical Signal in Figure 2, the video, audio, data signals etc. column 4 line 39-40) and supervisory information signal (Low Speed Electrical Signal in Figure 2, control signal, etc., column 4, line 40-41), respectively, from said electrical format into a first pair of first disaggregated optical format (Laser Light Signal in Figure 2) and second disaggregated optical format signals (Light Signal in Figure 2) and said WDM combiner (10 in Figure 2) is adapted to convert said first pair of first and second disaggregated optical format signals into a first WDM aggregated optical format signal (the multiplexed signal to fiber 3 in Figure 2), and

said WDM splitter (11 in Figure 2) is adapted to convert a second WDM aggregated optical format signal (Signals from fiber 6) into a second pair of first (the Laser Light Signal to O/E 12) and second (the Light Signal to O/E 13) disaggregated optical format signals, and said first photoelectric converter (12 in Figure 2) and said second photoelectric converter (13 in Figure 2) are adapted to convert said second pair of first and second disaggregated optical format signals into a second pair of first and second signals representative of payload (High Speed Electrical Signal in Figure 2, the video, audio, data signals etc.) and supervisory (Low Speed Electrical Signal in Figure 2, control signal, etc., column 4, line 40-41) information in said electrical format, the system thus comprising a transceiver module (Transmitting apparatus, Figure 2).

But, Muraguchi discloses that the second light source is a LED; not the laser light. However, since the laser source has a narrow band width and is widely used in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace LED with the laser diode so to increase the signal capacity and transmission rate.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muraguchi (US 5,432,874) in view of Bloom et al (US 5,710,652).

Muraguchi discloses all of the subject matter as applied in claim 1 above. Muraguchi further discloses that said first converter and said second converter have associated signal processing electronics to generate said first and said second signals representative of said payload and said supervisory information, in said electrical format (Figure 2, the High Speed Electrical Signal and Low Speed Electrical Signal are applied

to the E/O Converters 8 and 9 in Figure 2, it is obvious these signals are generated by a signal processing electronics).

But, Muraguchi does not expressly disclose that said signal processing electronics being integrated to said single self-contained module.

However, Bloom et al, in the same field of endeavor, discloses a processing electronics being integrated to said single self-contained module (Figure 3 and Figure 4, the laser drive electronics or power supply PS is within the single self-contained module Figure 3, column 2 line 22-25 and column 3 line 25-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to put the signal processing electronics within the transceiver module as taught by Bloom et al to so that a compact transceiver can be obtained.

7. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muraguchi (US 5,432,874) in view of Nakanishi (US 6,374,021).

1). With regard to claim 3, Muraguchi discloses all of the subject matter as applied in claim 1 above. But, Muraguchi does not expressly disclose that the optical WDM converter is a beam splitter.

However, the beam splitter or combiner used as the demuxer/Muxer is well known and widely in the art. Nakanishi et al discloses such a beam splitter (Figure 3 and 61 in Figure 7).

Because of the simple structure and small size of the beam splitter, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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apply the beam splitter to the system of Muraguchi so that a low cost and simpler structure transmitter can be obtained.

2) With regard to claim 4, Muraguchi and Nakanishi et al disclose all of the subject matter as applied in claims 1 and 3 above. And Muraguchi and Nakanishi et al further disclose that said beam splitter is arranged to transfer optical radiation (Laser Light Signal in Figure 2) between said first converter (8 in Figure 2) and optical fiber (3 in Figure 2).

But Muraguchi does not expressly disclose that said beam splitter has associated an optical connector.

However, Nakanishi, discloses an optical connector (152 in Figure 19, column 15 line 29) to get a better alignment between the lens and the fiber so to reduce the light loss (column 8, line 13-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the optical connector taught by Nakanishi to the system of Muraguchi so that a receptacle type of connector can be obtained, and the maintenance and replacement of fiber is made easier, and the WDM aggregated optical format can be easily inputted into the fiber and loss due to the alignment is reduced.

3) With regard to claim 5, Muraguchi and Nakanishi et al disclose all of the subject matter as applied in claims 1 and 3 above. And Muraguchi and Nakanishi et al further disclose that said beam splitter is arranged to transfer optical radiation (Light Signal in Figure 2) between said second converter (9 in Figure 2) and optical fiber (23 in Figure 1).

But Muraguchi does not expressly disclose that said beam splitter has associated an optical connector, and the beam splitter defines an optical signal reflection path between the second converter and the optical connector.

However, Nakanishi, discloses a beam splitter arranged to define an optical signal (Figure 3 and 61 IN Figure 7), and Nakanishi also teaches an optical connector (152 in Figure 19, column 15 line 29) to get a better alignment between the lens and the fiber so to reduce the light loss (column 8, line 13-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the splitter and optical connector taught by Nakanishi to the system of Muraguchi so that a receptacle type of connector can be obtained, and the maintenance and replacement of fiber is made easier, and the WDM aggregated optical format can be easily inputted into the fiber and loss due to the alignment is reduced.

8. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muraguchi (US 5,432,874) and Nakanishi (US 6,374,021) as applied to claims 1, 3 and 4 above, and in further view of Ventrudo et al (US 5,589,684).

1). With regard to claim 6, Muraguchi and Nakanishi et al disclose all of the subject matter as applied to claims 1 and 3 above. But, Muraguchi and Nakanishi et al do not expressly disclose radiation focusing elements.

However, Ventrudo et al, in the same field of endeavor, disclose that a beam splitter has associated radiation focusing elements (lens 15 and 16 in Figure 1) interposed between said beam splitter and said first and said second converter.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use focus elements as taught by Ventrudo et al to the system of Muraguchi and Nakanishi et al so that light beam can be easily projected to the beam splitter and the signal loss can be reduced.

2). With regard to claim 7, Muraguchi and Nakanishi disclose all of the subject matter as applied in claims 1, 3 and 4 above. But, Muraguchi and Nakanishi et al do not expressly disclose a focusing element interposed between the beam splitter and the optical connector.

However, Ventrudo et al disclose a further focusing element (21 in Figure 1) interposed between said beam splitter and said optical connector for focusing onto said optical connector optical radiation propagating from said beam splitter.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use focus elements as taught by Ventrudo et al to the system of Muraguchi and Nakanishi et al so that light beam can be easily focused to the fiber and the signal loss can be reduced.

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muraguchi (US 5,432,874) and Nakanishi et al (US 6,374,021) and Ventrudo et al (US 5,589,684) as applied to claims 1, 3, 4 and 7 above, and in further view of Calvani et al (US 5,329,394).

Muraguchi and Nakanishi et al and Ventrudo et al disclose all of the subject matter as applied in claims 1, 3, 4 and 7 above. But Muraguchi and Nakanishi et al and

Ventrudo et al do not expressly disclose that it includes an optical isolator interposed between said beam splitter and said further focusing element.

However, Calvani et al, in the same field of endeavor, teach an optical isolator (9, 209 and 210 in Figure 2) prevent the rays reflected by the mirror or the plate et al from re-entering lasers (column 4 line 33-34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the optical isolator taught by Calvani et al to the system of Muraguchi and Nakanishi et al and Ventrudo et al so that the rays reflected by the lens or fiber end can be isolated, the interference to the diode lasers can be avoided, and then the signal quality can be improved.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Fold et al (US 6,567,195) disclose an optical remote network interface cards (NICs) in which transmitter and receiver are contained in one module (Figure 3 and Figure 5).

Walt et al (US 6,285,807) disclose a fiber optical sensor in which a combination of lens, beam splitters etc forms a transceiver (Figure 12).

Chiu et al (US 6,869,231) disclose a transceiver including an optical bench.

Arnold et al (US 6,347,001) disclose a laser communication system having at least two communicating transceivers.

King et al (2001/0048799) a wdm optical communication system having a plurality of channel types.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li Liu whose telephone number is (571)270-1084. The examiner can normally be reached on Mon-Fri, 8:00 am - 5:30 pm, alternating Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Vanderpuye can be reached on (571)272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Li Liu
July 27, 2007



KENNETH VANDERPUYE
SUPERVISORY PATENT EXAMINER